IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

THURSDAY, THE TWENTY FOURTH DAY OF MARCH
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MR JUSTICE N.V. RAMANA

-

WRIT PETITION NO : 25837 of 1997

Between:

The Khammam Dist.,Coop. Marketing Society Ltd., Rep. President Sri Y.V.Rama Rao, R/o. 3-9-125 Mohan Road, Khammam.

..... PETITIONER

AND

1. The Executive Engineer (R&B), Khammam.
2. The Asst. Executive Engineer (R&B), Madhira, Khammam.
3. The Superintendent of Police, Khammam.
4. The Dy. Superintendent of Police, Wyra, Khammam.
5. The Circle Inspector of Police, Madhira, Khammam.
6. The Sub Inspector of Police, Opp: Petrol Bank, Madhira, Khammam.
7. The Executive Officer, Gram Panchayat, Madhira, Khammam.

(R3 to R7 are impleaded as per the Court order dt 23.3.01 in

WPMP NO.3776_01)

....RESPONDENTS

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue writ or direction preferably writ of Mandamus declaring the action of the Respondent in trying to start construction of a Building without notice to the Petitioner and without initiating any proceedings in the land admeasuring 2,443 Sq.Yards in Survey No. 41 situated at Madhira Village, Khammam District, as illegal, arbitrary and violates the principles of natural justice and consequently direct the respondents not to disturb the possession or demolish the shed of the petitioner in any manner

Counsel for the Petitioner: MR.KOWTURU VINAYA KUMAR

Counsel for the Respondents 1 AND 2: GP FOR ROADS & BUILDINGS

Counsel for the Respondents 3 to 6: G.P. for Home.

The Court made the following:

ORDER:

The petitioner-society which is the registered owner of the land admeasuring 2,443 sq.yards in Survey No.41, situated at Madhira Village Khammam District, aggrieved by the action of the respondents in proceeding with the construction of a Police Station in its land, without following the due process of law filed this Writ Petition.

The learned counsel for the petitioner submitted that the respondents have completed the construction and therefore, the Writ Petition has become infructuous and accordingly sought permission of this Court to withdraw the same, with liberty to agitate its grievance before the Competent Civil Court.

In view of the above, the Writ Petition is dismissed as withdrawn, with liberty as prayed for. No costs.

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24-03-2005

kvrm

To

1. The Executive Engineer (R&B), Khammam.
2. The Asst. Executive Engineer (R&B), Madhira, Khammam.
3. The Superintendent of Police, Khammam.
4. The Dy. Superintendent of Police, Wyra, Khammam.
5. The Circle Inspector of Police, Madhira, Khammam.
6. The Sub Inspector of Police, Opp: Petrol Bank,
   Madhira, Khammam.
7. The Executive Officer, Gram Panchayat, Madhira, Khammam.

8.2 CCs to G.P. for Roads and Buildings, High Court Buildings, Hyderabad (OUT).

9.2 CD copies

10.2 CCs to GP for Home, High Court Buildings, Hyderabad (OUT)